

REMARKS

By this amendment, claims 1-35 are pending, in which claims 32 and 33 are withdrawn, claims 1, 6, 16, 18, 21, and 24 are currently amended, and claims 34 and 35 are newly presented. No new matter is introduced.

The Office Action mailed February 26, 2004 rejected claims 1, 2, 9-11, 15-22, 24-26, 28, and 31 under 35 U.S.C. § 103(a) as obvious over *Schulzrinne et al.* (1999) in view of *Arao et al.* (1999), claims 3-7 under 35 U.S.C. § 103(a) as obvious over *Schulzrinne et al.* and *Arao et al.*, and further in view of *Eriksson et al.* (1999), claims 8, 13, and 14 under 35 U.S.C. § 103(a) as obvious over *Schulzrinne et al.*, *Arao et al.*, and *Eriksson et al.*, and further in view of *Boyle et al.* (1999), and claims 12, 23, 27, 29, and 30 under 35 U.S.C. § 103(a) as obvious over *Schulzrinne et al.* and *Arao et al.*, and further in view of *Boyle et al.*.

To expedite prosecution, Applicant has amended independent claims 1 and 16. Independent claim 1, as amended, recites “**providing the information by the one server to at least one router** of the communication session for enabling a Quality of Service policy in session packets arriving at the router **according to the second protocol.**” Amended claim 16 now recites “**providing the information by the one server to at least one router** of the communication session for de-installing a Quality of Service policy at the router **according to the second protocol.**”

Applicant respectfully submits that the above features are absent from the combination of *Schulzrinne et al.* and *Arao et al.* The Office Action asserts that the claimed protocols read on the protocols disclosed by *Schulzrinne et al.*: Session Initiation Protocol (SIP), Border Gateway Protocol (BGP), and Resource Reservation Protocol (RSVP). Namely, the Office Action contends that the claimed “second protocol” reads on BGP. As an interautonomous system routing protocol, BGP is communicated among routers, therefore, it is not possible that BGP is

communicated between a server and a router, in the manner claimed -- “**providing the information by the one server to at least one router** of the communication session for enabling a Quality of Service policy in session packets arriving at the router **according to the second protocol**,” This rationale is consistent with the fact that *Schulzrinne et al.* provides no such disclosure of these features. In fact, the use of BGP would be a clear teaching away from the claimed invention.

The addition of *Arao et al.* does not fill in these gaps. *Arao et al.* merely shows communication between two routers using BGP (Figure in col. 2, page 1391).

Similarly, Applicant respectfully submits that secondary references of *Eriksson et al.*, and *Boyle et al.* are also deficient with respect to the features of **providing the information by the one server to at least one router** of the communication session for enabling a Quality of Service policy in session packets arriving at the router **according to the second protocol**.” *Eriksson et al.* (per Abstract) simply describes Session Initiation Protocol and Dynamic synchronous Transfer Mode. *Boyle et al.* (per Abstract) is directed to a query and response protocol that is used to exchange policy information between a policy server and its clients.

As regard new claims 34 and 35, independent claim 34 is drawn to a method of supporting differentiated voice services over a data network, and recites “receiving a call setup request for establishment of a call over the data network according to a Session Initiation Protocol (SIP); generating a first request for authentication, authorization, and accounting for the call according to a Common Open Policy Service (COPS) protocol to a policy server that generates, according to an Open Settlement Protocol (OSP), a second request specifying a policy for the call based on the first request, and forwards the second request to a clearinghouse server for authorization of the call according to the Open Settlement Protocol (OSP); receiving a decision message from the policy server authorizing the call according to the COPS protocol

upon the clearinghouse server responding to the second request; and transmitting the call setup request to a SIP agent for establishment of the call in response to the decision message."

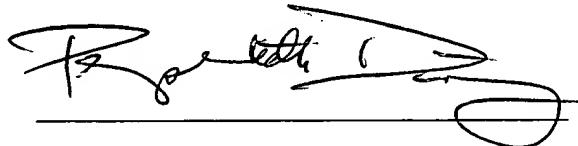
Applicant respectfully believes that these features are not present in the art of record, and thus, requests that independent claim 34 and claim 35 depending therefrom be indicated as allowed.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-6499 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

DITTHAVONG & CARLSON, P.C.

5/26/04
Date



Phouphanomketh Ditthavong
Reg. No. 44,658

Attorney for Applicant(s)

10507 Braddock Road
Suite A
Fairfax, VA 22032
Tel. (703) 425-6499
Fax. (703) 425-8518